

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JONATHAN ROGOFF,

Plaintiff,

v.

No. CIV-10-1041 LAM

**MICHAEL J. ASTRUE, Commissioner
of the Social Security Administration,**

Defendant.

**ORDER QUASHING ORDER TO SHOW CAUSE AND GRANTING
MOTION FOR EXTENSION OF TIME**

THIS MATTER is before the Court on Plaintiff's *Response to Order to Show Cause & Unopposed Motion for Extension of Time* (*Doc. 13*), filed June 9, 2011. Plaintiff's Motion to Reverse or Remand Administrative Agency Decision was due May 18, 2011, and the Court entered an Order to Show Cause on May 25, 2011, directing Plaintiff, by June 8, 2011, to either file a Motion to Reverse or Remand Administrative Agency Decision with a supporting memorandum of law, or file a response showing cause why this case should not be dismissed. [*Doc. 11* at 2]. In Plaintiff's Response to the Order to Show Cause, Plaintiff's counsel states that he missed the deadline to file a Motion to Reverse or Remand Administrative Agency Decision because of workload and staffing issues. [*Doc. 13* at 1-2]. Counsel for Plaintiff states that the staffing matter has been resolved. *Id.* at 2. Plaintiff also asks the Court to extend the deadlines in this case to June 22, 2011, for Plaintiff to file a Motion to Reverse or Remand Administrative Agency Decision; August 22, 2011, for Defendant to file a response; and September 6, 2011, for Plaintiff to file a reply. *Id.* at 1-2. Plaintiff states that Defendant does not oppose this request for extension of the

deadlines. Having considered Plaintiff's Response to the Order to Show Cause, the record of this case, and relevant law, the Court **FINDS** that Plaintiff has shown good cause why he did not timely file his Motion to Reverse or Remand Administrative Agency Decision. However, the Court notes that Plaintiff's Response to the Order to Show Cause was filed one day past the deadline set by the Court, and the Court cautions counsel for Plaintiff that meeting deadlines in his client's cases is his responsibility and the Court will not overlook untimely filings so leniently in the future.

IT IS THEREFORE ORDERED that the Court's *Order to Show Cause (Doc. 11)* is hereby **QUASHED**.

IT IS FURTHER ORDERED that the deadlines in this case are hereby extended as follows: Plaintiff's Motion to Reverse or Remand Administrative Agency Decision is due **on or before June 22, 2011**; Defendant's response is due **on or before August 22, 2011**; and Plaintiff's reply is due **on or before September 6, 2011**. *These deadlines shall not be extended again without approval of the Court upon a motion setting forth exceptional cause for extension.*

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent